REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-11 and 13-14 are pending in the application. No claim amendments are presented, thus, no new matter is added.

In the outstanding Office Action, Claims 1-11 and 13 were rejected under 35 U.S.C. §103(a) as unpatentable over Paul et al. (U.S. Patent 6,052,709, hereinafter Paul) in view of He et al. (U.S. Publication No. 2003/0182383, hereinafter He); and Claim 14 was rejected under 35 U.S.C. §103(a) as unpatentable over He in view of Kitaura et al. (U.S. Publication No. 2002/0091569, hereinafter Kitaura).

Claims 1-11 and 13 were rejected under 35 U.S.C. §103(a) as unpatentable over Paul in view of He. Applicants respectfully traverse this rejection as independent Claims 1 and 13 recite novel features clearly not taught or rendered obvious by the applied references.

Independent Claim 1 relates to a mobile communication terminal that includes means for receiving mail from a mail server and means for acquiring detection conditions data including a letter string from a detection conditions distribution server and storing the detection condition data in a detection conditions storage means. A detection means at the mobile communications terminal then performs detection processing for extracting the mail received by the mail receiving means when a condition, in which the mail includes a letter string conforming to the letter stream included in the detection condition data stored at a detection condition storage means, is satisfied. Independent Claim 1 further recites that the communication terminal comprises:

> ...***detected mail notification processing means for sending information that the mail has been extracted by the detection means to a detected mail notification receiving server.***

As described in an exemplary embodiment at Figs. 13-14, and in the corresponding portion of the specification, the reporting of an extracted e-mail message from the mobile communication terminal to the detected mail notification receiving server allows for a user to be reimbursed for charges associated with receiving unwanted and/or unsolicited e-mail messages.

In rejecting independent Claim 1, the outstanding Office Action asserts that Paul teaches all the features of Applicants' Claim 1 with the exception of "sending the detected mail information to the detected mail notification receiving server." In an attempt to remedy this deficiency, the outstanding Official Action relies on He and states that it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited references to arrive at Applicants' claims. Applicants respectfully traverse this rejection as He fails to teach or suggest the claimed features for which it is asserted as a secondary reference under 35 U.S.C. §103.

He is directed to an enterprise electronic mail filtering and notification system which is a distributed worldwide web based data processing and transmission system whose purpose is to provide a web and network based method of locating high priority electronic mail messages and alerting the intended recipients of the existence of the messages.[1] The system includes a web server where a user may register his e-mail address and select a criteria for screening e-mails from a mailbox on the user's e-mail server. When important e-mail messages are located, the user will be notified by the most convenient means as determined by the user.

He, however, fails to teach or suggest a mobile communication terminal that includes "***detected mail notification processing means for sending information that the mail has***

[1] He, Abstract.

been extracted by the detection means to a detected mail notification receiving server," as recited in independent Claim 1.

Instead, as noted above, He is directed to a system for scanning a user's inbox for important messages so that the user is informed of the received such messages by the most convenient method and selected by the user. Thus, He describes the method of selective notification at a user's e-mail server and does not describe a mobile communication terminal that sends information that a mail has been extracted by a detection means at the mobile communications terminal.

As described at paragraph [0031] of He, an e-mail detection scanner (6) is implemented as an endless software group running through each user's account information, as contained in the system database (9). The e-mail detection scanner (6) cross references user account information with the e-mail server to check whether or not there are any messages in the user's mailbox, and if a message is found, it is transported via the universal mailbox access interface to the system database (9) for comparison with the user's prioritization criteria filter. Thus, He describes that a detection and notification step is performed not at the mobile communication terminal or the means for receiving mail from the mail server, but is instead detected by using e-mail detection traffic scanner (6) which checks a user's mailbox for new e-mail messages and sends a notification to user based on a user's prioritization criteria filter.

Therefore, He fails to teach or suggest a mobile communication terminal that includes a mail receiving means for receiving mail from a mail server and which also includes "***detected mail notification processing means for sending information that the mail has been extracted by the detection means to a detected mail notification receiving server***," as recited in independent Claim 1. Further, as admitted in the outstanding Office Action, Paul also fails to teach or suggest this claimed feature.

Accordingly, Applicants respectfully request that the rejection of Claim 1 (and Claims 2-11 which depend therefrom) under 35 U.S.C. §103 be withdrawn.

Claim 13 was also rejected under 35 U.S.C. §103(a) as unpatentable over Paul in view of He. The outstanding Office Action, however, relies only on Paul in rejecting the features of independent Claim 13. Nonetheless, Paul neither alone nor in combination with He, teach or suggest all the features recited in independent Claim 13.

Independent Claim 13 is directed to a detection condition distribution server for controlling detection condition data including a letter string for extracting specific mail received by mobile communications terminal. The server comprises, in part:

> second detected mail processing control means for storing information regarding distribution processing for specifying that each of a plurality of mobile communication terminals automatically deletes mail or that a user is allowed to select the deletion... based on specification by an administrator of each of the plurality of mobile communication terminals such that each piece of the information is associated with the information for identifying each of the mobile communication terminals.

Turning to the applied reference, Paul describes creating one or more spam probe e-mail addresses, which are planted at various sites to ensure their inclusion on large scale spam mailing lists. Based on the unsolicited spam e-mail received, the system generates an alert signal which is broadcast to various system components and used to filter e-mail traffic.[2]

Paul, however, fails to teach or suggest a distribution server that includes a "means for storing information regarding distribution processing for specifying that each of a plurality of mobile communication terminals automatically deletes mail or that a user is allowed to select the deletion ... based on specification by an administrator of each of the plurality of mobile communication terminals that each piece of the information is associated with the

[2] Paul, Abstract.

information for identifying each of the mobile communication terminals," as recited in amended independent Claim 13.

In addressing the above-noted features of Claim 13, the outstanding Officel Action relies on col. 6, line 64 – col. 7, line 8 of Paul. This cited portion of Paul describes a filtering application by which messages marked with the first display code indicating the "JUNK" status of the message are not displayed in the user's in box and are automatically discarded by the filter. Alternatively, the "JUNK" messages may be modified to indicate to the user that the messages are unsolicited, for example, by automatically inserting the word "JUNK" at the beginning of the messages "SUBJECT" header field, by displaying the message in a distinctive color in the user's in-box, by inserting the message in a special folder in the user's in-box, or by other suitable means. Thus, Paul simply describes the process of either presenting unwanted e-mail to a user's in-box or automatically deleting the e-mail. Paul, however, fails to teach or suggest storing such information "***such that each piece of the information is associated with the information for identifying each of the mobile communication terminal***," as recited in independent Claim 13.

Accordingly, Applicants respectfully request that the rejection of Claim 13 under 35 U.S.C. §103 be withdrawn.

Claim 14 was rejected under 35 U.S.C. §103(a) as unpatentable over He in view of Kitaura. Applicants respectfully traverse this rejection as independent Claim 14 recites novel features clearly not taught nor rendered obvious by the applied references.

Independent Claim 14 recites a detected mail notification receiving server, comprising:

> detected mail receiving means for receiving information regarding mail including a first letter string conforming to a second letter string for detecting specific mail which is sent ***by a mobile communication terminal***; and

> communication charge return instruction means for sending instruction information for instructing billing control server to perform reduction processing of the communication charge for the mail to the billing control server, ***based on information regarding the mail received by the detected mail receiving means***.

As noted above, He describes that an e-mail detection scanner (6) is implemented as an endless software loop running through each user's account information contained in a system database (9). An e-mail detection scanner detects that an e-mail intended for a user, and compares the e-mail with the user's prioritization criteria filter. If the message at the e-mail server (4) matches predetermined criteria a data packet is released to the notification means (7) to be delivered to a user. Thus, He clearly describes that a notification is sent from an external server and not by mobile communications terminal that is the intended recipient of the message.

Therefore, as discussed above, He fails to teach or suggest a mail notification receiving server that receives "information regarding mail including a first letter string conforming to a second letter string for detecting specific mail ***which is sent by a mobile communication terminal***" as recited in independent Claim 14.

Further, Kitaura describes a secure electronic coupon system for providing electronic coupons to users having a cellular phone with a display device.[3] A coupon data storage device stores information relating to the electronic coupons, and a barcode processor generates barcode data based at least on the electronic coupon data stored in the coupon data storage device. A barcode processor sends the barcode data generated by the barcode processor to the cellular phone, and using the cellular phone, electronic coupons can be presented in a store where a product or service is purchased. The electronic coupons can be scanned by an existing barcode scanner connected to a point of sale system.

[3] Kitaura, Abstract.

Thus, Kitaura merely describes a process of forwarding bar codes corresponding to coupons to a user's device for subsequent display at a point of sale location. At no point does Kitaura teach or suggest a server that "sends instruction information for instructing billing control server to perform reduction processing of the communication charge for the mail to the billing control server, ***based on information regarding the mail received by the detected mail receiving means***," as recited in independent Claim 14.

Thus, He and Kitaura, neither alone, nor in combination, teach or suggest a server that receives information regarding mail filtering results from a mobile communication terminal, or which reduces a charge based on such a notification, as recited in independent Claim 14.

Accordingly, Applicants respectfully request that the rejection of Claim 14 under 35 U.S.C. §103 be withdrawn.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-11, 13 and 14 is definite and patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

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